

REMARKS

Claims 1-30 are pending in this application. Claims 1, 4-7 and 9-17 have been previously canceled.

The Applicant notes that in this Office Action, the Examiner rejects claims 2, 3, 8 and 18-30 under 35 U.S.C. §103(a) as being unpatentable over Lu in view of Bulfer and in further view of Sherman. The Applicant further notes that the Examiner does not include the rejection under 35 U.S.C. §112, or the rejection under 35 U.S.C. §102(e) with respect to Mastrianni.

At paragraph 2 of the Office Action, the Examiner provides a response to the Applicant's arguments in the Response dated July 26, 2007. The Applicant respectfully requests clarification of this response. On pages 2 and 3, the Examiner describes what he calls "Applicant's Argument No. 1" and "Applicant's Argument No. 2." What the Examiner refers to as "Argument No. 1" appears to refer to the 35 U.S.C. §112 rejection, and "Argument No. 2" appears to refer to the 35 U.S.C. §102(e) rejection to Mastrianni, from the May 1, 2007 Office Action. From page 3 to page 10 of the Office Action, the Examiner provides a response to "Argument No. 1." From the bottom of page 10, to the middle of page 11, the Examiner provides a response to "Argument No. 2."

Regarding "Argument No. 1," the Examiner provides a restatement of the prosecution history from page 3 to the top of page 10. In section B on page 10, the Examiner provides a characterization of the Applicant's argument presented in the Response to May 1, 2007 Office Action. The Applicant disagrees with the Examiner's characterization. In section C on page 10 of the Office Action, the Examiner states that, "Third, these arguments that are presented in the above paragraph "B" was argued by the Applicant in response to the Non-Final Office Action dated 03/27/2006 and Final Office Action dated 10/12/2006 . . ." (emphasis added). However, as set forth above, "Argument No. 1" appears to refer to the 35 U.S.C. §112 rejection from the May 1, 2007 Office Action. This was the first Office Action in this application to include a rejection under 35 U.S.C. §112, and so this argument was not argued by the Applicant in response to the previous Office Actions cited by the Examiner.

Regarding “Argument No. 2,” the Examiner provides a response from the bottom of page 10 to the middle of page 11. The Examiner object that claims 18 and 26 do not have “any indication of any kind of ‘folder(s).’” The Examiner also cites, *Constant v. Advanced Micro-Devices Inc.* as support for this objection. However, the Applicant respectfully submits that the specification text to which the Applicant refers is merely an exemplary embodiment. The claims are broader than the exemplary embodiment. The “notifying” element is disclosed throughout the specification, for example at paragraph [0006]. The message being shown as moved from the unapproved folder to the approved folder is merely an exemplary embodiment of the notifying element.

In this Office Action, the Examiner rejects claims 2, 3, 8 and 18-30 under 35 U.S.C. §103(a) as being unpatentable over Lu in view of Bulfer and in further view of Sherman. Regarding independent claims 18 and 26, both Lu and Bulfer fail to teach “once the electronic message is approved or rejected by one approver, notifying the at least one other approver of a changed status for the electronic message.” To supply that which is missing from Lu and Bulfer, the Examiner turns to Sherman that is directed to and discloses methods for synchronizing information between computer systems. In particular, the Examiner points to the subfolder synchronization Sherman teaches at figures 5, 8A and 8B, and at paragraphs [0045], [0059], [0065] and [0075].

A careful reading of Sherman reveals that it does not teach or suggest notifying the at least one other approver of a changed status for an electronic message. The description from Sherman that the Examiner cites is directed only to folders, and not to the e-mail messages or other information structures stored within the folders. The gist of the Sherman reference in general, and of the text the Examiner cites in particular, is synchronization and other processing as applied to folders and subfolders, but not to the messages residing within those folders.

Sherman pointedly does not apply the synchronization processes it teaches to e-mail messages. Sherman does not ignore the subject of e-mail messages – rather, Sherman describes e-mail messages in peripheral contexts, unrelated to the synchronization that is the focus of the patent (see, for example, paragraph [0026]). In fact, Sherman teaches that the synchronization concepts it describes may be applied in other contexts, such as to file directories, task categories, notes, contacts and other categories of information (see paragraph [0077], but Sherman pointedly excludes e-mail messages. All of the alternative embodiments called out in Sherman are

directed to categories related to the e-mail messages, but are specifically not directed to the e-mail messages themselves.

In summary, Sherman discusses e-mail messages, and could have included e-mail messages as subject matter for an alternative embodiment of the synchronization concepts it teaches, but specifically chose not to do so. Sherman does not teach notifying at least one other approver of a changed status for an electronic message.

Unlike the cited references, the recited invention is directed specifically to operating electronic messaging systems that provides for a review of messages that are either approved or rejected, and sent for review to at least two approvers, and further upon an action being taken by one approver, provides for notification to the other approvers who have not yet acted on the electronic message. In doing so, the recited invention is concerned with an efficient technique to provide for a review of electronic messages that are routed to at least two approvers. In particular, the recited invention uses a changed status (i.e., approved or rejected) for the electronic message to be the basis for a notification to be sent to the other approvers so they do not have to act on the message.

Independent claims 18 and 26 both require notifying at least one other approver of a changed status for an electronic message. The Examiner admits that neither Lu nor Bulfer teach this limitation, and as described above, Sherman does not supply that which is missing from Lu and Bulfer. At least for these reasons, claims 18 and 26 are not obvious in view of the cited references and should be allowed.

Since claims 2, 3, 19-25 depend from allowable claim 18, and claims 8 and 27-30 depend from allowable claim 26, these claims should also be allowed.

In view of the above remarks, Applicant submits that the pending application is in condition for allowance, and such action is respectfully solicited.


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Amendment dated October 31, 2007
After Final Office Action of October 26, 2007

Docket No.: 0113715.00134US1

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 0113715.00134US1 from which the undersigned is authorized to draw.

Respectfully submitted,

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